

MAY / JUNE 2023

SHERIFF & DEPUTY

The Voice of America's Sheriffs

VOLUME 75 | ISSUE 3

CONFERENCE TIME

Make plans now to attend NSA's 2023 Annual Conference

LEARNING AFTER LEGALIZATION

NSA delivers microgrants to law enforcement for drug-impaired driving enforcement training

By Candace Hill



Advanced Roadside Impaired Driving Enforcement instructor Officer Mike Thomas, of the Spokane Police Department, teaches class in Homer, Alaska.

Since 2012, 21 states, the District of Columbia, and two U.S. territories have legalized recreational cannabis, and more have made cannabis legal for medical use. While study findings are mixed regarding the impact cannabis legalization has had on the incidence rate of impaired driving crashes, research shows that THC concentration in blood can impair driving ability, according to the Centers for Disease Control and Prevention.

Additionally, a recent National Transportation Safety Board report says marijuana is the second most detected drug behind alcohol in impaired drivers, and a 2020 Mothers Against Drunk Driving survey found that 1 in 8 U.S. adults admits to having driven under the influence of marijuana. With impaired driving accounting for one-third of all traffic fatalities, this shows that marijuana use has created a need for law enforcement to have more tools to recognize drug impairment in drivers.

With support from the National Highway Traffic Safety Administration (NHTSA), NSA has been working to

increase the number of law enforcement officers trained to detect drug impairment in drivers. In 2021 and 2022, NSA provided grant funding for drug-impaired driving enforcement training (DIDET) to agencies around the United States to support Advanced Roadside Impaired Driving Enforcement (ARIDE) classes and Drug Recognition Expert (DRE) trainings and field certifications.

Four law enforcement organizations submitted successful applications: Collin County (Texas) Sheriff's Office (CCSO), County Sheriffs of Colorado (CSOC), Oklahoma Sheriffs' Association (OSA), and Washington State Patrol (WSP). One of NSA's goals in funding DIDET was to reach law enforcement officers in rural/remote areas and other places where ARIDE and DRE trainings are not often available.

CSOC and OSA submitted applications to offer ARIDE classes in several regions of their states to address barriers law enforcement officers had in accessing



Students in an Advanced Roadside Impaired Driving Enforcement class in Garfield County, Colorado, practice sobriety tests on each other.

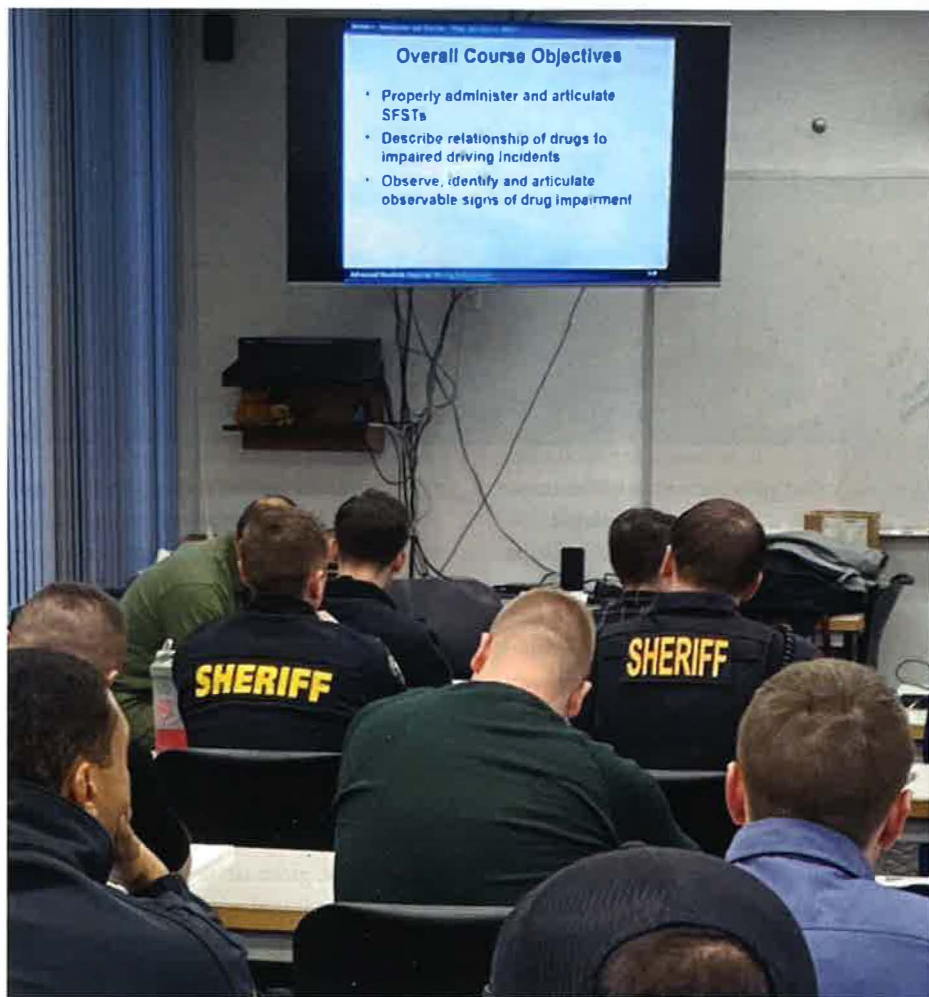
the training. In preparation for ARIDE classes, OSA also offered refresher courses on standardized field sobriety tests (SFSTs). Proficiency in SFSTs, including the horizontal gaze nystagmus test, the walk-and-turn test, and the one-leg stand test, are required for the ARIDE class and DRE training.

Impaired driving accounts for one-third of all traffic fatalities.

CCSO used the funding to expand its traffic safety patrol to include deputies trained as DREs, and WSP provided training in Washington state and Alaska, where only a few instructors are available to offer DIDET. NSA worked with the



Drug Recognition Expert students check vital signs at the Oklahoma Sheriffs' Association training.



Students in the King County Advanced Roadside Impaired Driving Enforcement class coordinated by Washington State Patrol

Missouri Safety Center to offer an ARIDE class at the 2022 NSA Annual Conference in Kansas City, Missouri, which law enforcement officers from Missouri and Kansas attended.

Through collaboration with local and state law enforcement agencies, NSA has now supported the training of more than 400 law enforcement officers in Alaska, Colorado, Kansas, Missouri, Oklahoma, Texas, and Washington state. NSA hopes to continue supporting DIDET, including an ARIDE class at the upcoming 2023 Annual Conference in Grand Rapids, Michigan, June 26–29.

In addition, NHTSA and NSA are partnering with other organizations to find ways to offer more training on detecting drug impairment in drivers. With support from Responsibility.org (responsibility.org), NSA offered a cannabis workshop or “green lab” to DRE students and instructors in Edmond, Oklahoma. With continued support from Responsibility.org, NSA has secured additional funding to host another green lab. 🌱

Candace Hill is NSA's assistant director of grants and contracts. If you are interested in having a green lab in your area, email chill@sheriffs.org.

WORKSHOPPING WEED

Establish a 'green lab' to train deputies in cannabis impairment detection

By Sgt. Nickolas O'Bryant



Most law enforcement officers are familiar with alcohol workshops or “wet labs.” While alcohol workshops are an integral part of developing LEOs’ proficiency in standardized field sobriety tests (SFSTs), they fall short in providing insights into the continued increase in cannabis impairment. With four more states considering the passage of recreational marijuana this year—Oklahoma, Ohio, Minnesota, and Pennsylvania—marijuana-impaired driving is expected to increase.

SFSTs have been shown to be an excellent tool in assessing cannabis impairment, especially when paired with tests taught during Advanced Roadside Impaired Driving Enforcement (ARIDE). However, few law enforcement officers have access

to a controlled environment in which they can apply new skills and gain firsthand experience in interacting with and assessing subjects experiencing cannabis impairment. The cannabis workshop or “green lab” remedies this gap in training.

While a cannabis workshop can appear tedious at face value, the green lab can be developed easily by applying the principles used to stage alcohol workshops. However, planning a cannabis workshop can present additional challenges such as:

- Developing a participant waiver and participant dosage log,
- Deciding on the cannabis type to be used,
- Identifying a facility to host the workshop,
- Determining and screening candidates,
- Purchasing the product,

- Securing safe transport of a participant to and from the facility after testing, and
- Disposing of any remaining product.

While many of these considerations vary from state to state, consulting with the state governing body and developing relationships with those agencies can help.

Scheduling a workshop

Selecting the time and place for a cannabis workshop will be one of the first considerations. If the green lab is going to be added to academy coursework, it will have to be scheduled during the academy’s normal business hours, making it a challenge to find volunteers able to begin the dosage during the day. This challenge is worse if

the workshop uses cannabis edibles, which typically take one to 1½ hours to achieve the desired effect. Scheduling workshops in the afternoon may make identifying and screening candidates easier. If the workshop is part of ARIDE or Drug Recognition Expert (DRE) training, hours can be more flexible.

Law enforcement officers of all experience levels must learn to recognize and assess individuals under the influence of cannabis.

Additional considerations include the selection of a facility. Some facilities are reluctant to allow the use of impairing substances on the property, especially if the substance is smoked; edibles are typically more acceptable for these facilities.

Then there are considerations surrounding liability. Like with alcohol workshops, it's a good idea to require participant waivers. Those used for wet labs are a good place to start; alter them to be appropriate for a cannabis workshop and review them with a legal professional.

Another concern for liability is participant travel from the testing facility. While some workshop organizers are OK using ride-sharing services, it's best if subjects have arranged for a sober individual to take custody of them and ensure their safety upon leaving the facility.

When developing additional forms for a cannabis workshop, hosts should track the dosages consumed. If the workshop uses an inhaled method of ingestion, subjects should use a single-use vape cartridge with a defined THC concentration. If the workshop offers edibles, allow individuals to choose a dosage based on their assessment of their own tolerance; they should never be asked to consume more than the amount they are comfortable consuming. Track dosages based on the dosage of the edibles consumed or

by weighing the THC vape cartridge before and after consumption.

Screening subjects

One of the greatest challenges in facilitating a cannabis workshop is arranging and screening volunteer subjects. One volunteer subject for every two to three students is the ideal ratio, but plan to have several additional volunteer subjects since volunteers often fail to appear. This is likely a factor of law enforcement's traditional role in drug enforcement and prohibition of cannabis use making people unwilling to interact with officers even in a controlled setting. Students participating in a green lab should refrain from wearing any clothing or items identifying them as law enforcement, including weapons. Designate a safety officer who can remain armed and oversee the event.

Volunteer subjects should be told not to consume cannabis or any other illegal drugs unless medically necessary for 24 hours prior to the cannabis workshop. DREs can screen volunteer subjects as part of the initial screening process and take a toxicological sample to determine the presence and/or concentration of other intoxicants in their bodies.

If possible, develop ongoing relationships with toxicologists and phlebotomists, especially if they are engaged in research related to cannabis impairment. Volunteers will often agree to varied sample collection methods with the promise of free cannabis.

Purchasing or providing cannabis for the green lab varies from state to state. In states such as Oklahoma, where cannabis is dispensed for medicinal purposes only, a medical cardholder must purchase the product. In some states, it may be necessary to work with a local dispensary to facilitate purchase of the product used in the workshop. It's possible to access the product at a discount rate if the dispensary owner or manager is approached and explained the purpose. Dealing directly with a dispensary

operator also can help set guidelines on the products purchased to ensure consistency among volunteers. The office may need to provide cash to participants to purchase cannabis products.

A final consideration for planning a cannabis workshop is knowing who the audience of students will be. A green lab for academy deputies would present an introduction to the ways an impaired person presents and demonstrate how SFSTs can still be applied. More advanced students would receive training and hands-on practice in the use of additional tests such as the modified Romberg balance test, the finger-to-nose test, and the lack of convergence test. DRE students can benefit from a live evaluation.

With the increase of cannabis legalization nationwide, law enforcement officers of all experience levels must learn to recognize and assess individuals under the influence of cannabis—a goal that can be advanced by a well-staged cannabis workshop. ☆

Sgt. Nickolas O'Bryant is Oklahoma's ARIDE state coordinator and DRE instructor for the Oklahoma City Police Department.

